

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION.**

CRIMINAL APPLICATION NO.94 OF 2006

IN

CRIMINAL APPLICATION NO.93 OF 2006

IN

CRIMINAL APPEAL NO.243 OF 2002

The State of Maharashtra : Applicant

versus

Shri Sanglya Chunya Pawar

and ors. : Respondents.

Mr.V.B.Konde-Deshmukh, APP, for the State.

Smt.Anita Agarwal for the respondents.

CORAM : D.G.DESHPANDE

V.K.TAHILRAMANI JJ.

DATED : MARCH 28, 2006.

P.C.

1. Criminal Application No.94 of 2006 is for

condonation of delay in filing the Criminal Application No.93 of 2006 which is for restoration of Criminal Appeal No.243 of 2002 that came to be dismissed for non-removal of office objection. In that appeal, the objections were, the respondents should be served. It appears from the record that number of attempts were made to serve. But all of them are unsuccessful. In any case, that appeal is against acquittal and, therefore, looking to the explanation given in the affidavit, Criminal Application No.94 of 2006 is allowed. The delay is condoned. So also the Criminal Application No.93 of 2006, for restoration of appeal, is allowed. Appeal is restored to file. Since the Respondents/accused Nos. 1 to 3 are represented, now the appeal should be placed for admission on 17th April 2006. Both the Criminal Applications are disposed of.

[D.G.DESHPANDE, J]

[V.K.TAHILRAMANI, J]